



**Air Quality
TIER I OPERATING PERMIT**

**State of Idaho
Department of Environmental Quality**

PERMIT No.: T1-030314
FACILITY ID No.: 007-00008
AQCR: 61 **CLASS:** A
SIC: 4922 **ZONE:** 12
UTM COORDINATE (km): 465.5, 4709.9

1. PERMITTEE

Williams Gas Pipeline, Northwest Pipeline Corp.

2. PROJECT

Tier 1 Operating Permit Renewal – Soda Springs Compressor Station

3. MAILING ADDRESS

PO Box 58900

CITY

Salt Lake City

STATE

UT

ZIP

84158-0900

4. FACILITY CONTACT

Matthew Armstrong

TITLE

Environmental Specialist

TELEPHONE

801-584-6354

5. RESPONSIBLE OFFICIAL

Larry Hjalmarson

TITLE

Director of Operations

TELEPHONE

801-584-6402

6. EXACT PLANT LOCATION

S22, T10S, R43E

COUNTY

Bear Lake County

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Natural Gas Transmission

8. PERMIT AUTHORITY

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by the DEQ on the cover page.

**TONI HARDESTY, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL QUALITY**

DATE ISSUED:

Draft Public Comment

DATE MODIFIED/AMENDED:

DATE EXPIRES:

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Acronyms, Units, and Chemical Nomenclature

acfm	actual cubic feet per minute
AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
Btu	British thermal unit
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EPA	U.S. Environmental Protection Agency
gr	grain (1 lb = 7,000 grains)
hp	horsepower
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
m	meter(s)
MMBtu	million British thermal units
MMBtu/hr	million British thermal units per hour
NO _x	nitrogen oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM ₁₀	Particulate Matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
Rules	Rules for the Control of Air Pollution in Idaho
scf	standard cubic feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	sulfur dioxide
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

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1. TIER I OPERATING PERMIT SCOPE

Purpose

- 1.1 This Tier I operating permit is the renewal of the facility's existing Tier I operating permit.
- 1.2 This Tier I operating permit incorporates and replaces the following permits, the terms and conditions of which shall no longer apply:
- Tier I Operating Permit No. 007-00008, issued January 3, 2001
 - Tier I Operating Permit No. 007-00008, issued March 6, 2003

Regulated Sources

- 1.3 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED SOURCES

Permit Condition	Source Description	Emissions Control(s)
3.1-3.5	<u>#1, #2, #3 Reciprocating Engines</u> Manufacturer: Dresser-Rand Clark Model: TLA-6 Installed: 1956 Rated Capacity: 1,450 hp ¹ Burner Type: Natural Gas Internal Combustion Engine Fuel: Natural Gas Fuel Usage: 340 cfm	None
3.1-3.5	<u>#4 Reciprocating Engine</u> Manufacturer: Dresser-Rand Clark Model: TCVA-16 Installed: 1969 Rated Capacity: 6,000 hp Burner Type: Natural Gas Internal Combustion Engine Fuel: Natural Gas Fuel Usage: 1,258 cfm ²	None
2.1-2.4	Fugitive Road Dust Sources Gravel Driveway Length: 170 feet Width: 16 feet 4 wheel truck usage: 284.7 miles/year, 4.8 ton 18 wheel truck usage: 0.326 miles/year, 20 ton Surface Silt Content: 12 wt% ³	Reasonable Control

¹hp: horsepower

²cfm: cubic feet per minute

³wt %: percent by weight

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2. FACILITY-WIDE CONDITIONS

The following table contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Condition	Parameter	Permit Limit/ Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
2.1	Fugitive dust	Reasonable control	IDAPA 58.01.01.651	2.2, 2.3, 2.4, 2.10
2.5	Odors	Reasonable control	IDAPA 58.01.01.775-776	2.6, 2.10
2.7, 3.1	Visible emissions	20% or greater opacity for no more than 3 minutes in any 60-minute period	IDAPA 58.01.01.625	2.10, 3.2, 4.1
2.8	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.8.2 - 2.8.5.2, 2.10
2.9	Criteria air pollutants, opacity	Compliance testing	IDAPA 58.01.01.157	2.10
2.10	Air quality standards	EPA reference test methods	IDAPA 58.01.01.157	2.10
2.11	Monitoring and Recordkeeping	Methods of monitoring and recordkeeping	IDAPA 58.01.01.322.07	2.10
2.12	Reports and Certifications	Methods of reporting and certification	IDAPA 58.01.01.322.08	2.10
2.13	Open burning	Compliance with IDAPA 58.01.01.600-616	IDAPA 58.01.01.600-616	2.10
2.14	Renovation and demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.10
2.15	Chemical accident prevention provisions	Compliance with 40 CFR 68	40 CFR 68	2.10
2.16	Recycling and emissions reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	2.10

Fugitive Dust

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.
[IDAPA 58.01.01.650-651, 5/1/94]
- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94]

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- 2.4 The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

Odors

- 2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

[IDAPA 58.01.01.775-776, 5/1/94]

- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

Visible Emissions

- 2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 4/5/00]

- 2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

Excess Emissions

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Excess Emissions – General

2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between the subsections of Permit Condition 2.9 and the regulations of IDAPA 58.01.01. 130-136.

2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing such excess emissions event, to reduce the frequency of occurrence of such events, to minimize the amount by which the emission standard is exceeded, and shall, as provided below or upon request of DEQ, submit a full report of such occurrence including a statement of all known causes and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to:

[IDAPA 58.01.01.133, 4/5/00]

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory and/or a Wood Stove Curtailment Advisory has been declared by DEQ; and

[IDAPA 58.01.01.133.01.a, 3/20/97]

- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to the start of the excess emission event unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advanced notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.8.4 and 2.8.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

Excess Emissions – Upset, Breakdown, or Safety Measures

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

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- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.8.4 and 2.8.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

2.9.3.2 During any period of excess emissions caused by upset, breakdown or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the excess emissions until such time as the condition causing the excess emissions has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01, 02, 3/20/97]

2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five calendar year period. The excess emissions records shall be made available to DEQ upon request. The excess emissions records shall include the information requested by IDAPA 58.01.01. 136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

2.9.5.1 An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

2.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset/breakdown/safety preventative maintenance plans which have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97]

Compliance Testing

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- 2.10 If testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any compliance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

The permittee shall submit a compliance test report for the respective test to DEQ within 45 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

Air Quality Permit Compliance
Department of Environmental Quality
Boise Regional Office
1445 North Orchard
Boise, ID 83706
Phone: (208) 373-0550 Fax: (208) 373-0287

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

Test Methods

- 2.11 If testing is required, the permittee shall use the test methods listed in Table 2.2 to measure the pollutant emissions.

Table 2.2 EPA REFERENCE TEST METHODS

Pollutant	Test Method *	Special Conditions
PM ₁₀	EPA Method 201.a EPA Method 202	
PM	EPA Method 5	
NO _x	EPA Method 7	
SO ₂	EPA Method 6	
CO	EPA Method 10	
VOC	EPA Method 25	
Opacity	EPA Method 9	

*Or Department-approved alternative in accordance with IDAPA 58.01.01.157

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Monitoring and Recordkeeping

- 2.12 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

Reports and Certifications

- 2.13 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Pocatello Regional Office
444 Hospital Way, #300
Pocatello, ID 83201
Phone: (208) 236-6160 Fax: (208) 236-6168

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

Open Burning

- 2.14 The permittee shall comply with the Rules for Control of Open Burning, IDAPA 58.01.01.600-616.

[IDAPA 58.01.01.600-616, 4/5/00]

Renovation/Demolition

- 2.15 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

[40 CFR 61, Subpart M]

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Regulated Substances for Accidental Release Prevention

- 2.16 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:
- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
 - The date on which a regulated substance is first present above a threshold quantity in a process.
- [40 CFR 68.10 (a)]**

Recycling and Emissions Reductions

- 2.17 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82, Subpart F]

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3. UNITS 1, 2, AND 3 CLARK TLA-6 AND UNIT 4 CLARK TCVA-16 RECIPROCATING ENGINES

Summary Description

Table 3.1 describes the devices used to control emissions from each reciprocating engine:

Table 3.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit(s) / Process(es)	Emissions Control Device
Units 1, 2, and 3 – Clark TVA-6 Reciprocating Engines	None
Unit 4 – Clark TCVA-16 Reciprocating Engine	None

Table 3.2 contains only a summary of the requirements that apply to the reciprocating engines designated as Unit 1, Unit 2, Unit 3, and Unit 4. Specific permit requirements are listed below Table 3.2.

Table 3.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
3.1	Visible emissions	20% or greater opacity for no more than 3 minutes in any 60-minute period.	IDAPA 58.01.01.625	2.8 and 3.3

Permit Limits / Standard Summary

- 3.1 Visible emissions from each reciprocating engine exhaust stack shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period according to IDAPA 58.01.01.625.

[IDAPA 58.01.01.625, 4/5/00]

Operating Requirements

- 3.2 The permittee shall monitor and record the fuel usage for each reciprocating engine continuously using a fuel flow meter. The fuel flow meter shall be calibrated once each year. The date and time of each calibration and any maintenance performed on the fuel meters shall also be recorded. Each calendar year, the permittee shall record total yearly fuel usage for each reciprocating engine.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

- 3.3 The permittee shall burn only natural gas in the Clark TVA-6 reciprocating engines designated as Unit 1, Unit 2, Unit 3, and the Clark TCVA-16 reciprocating engine designated as Unit 4.

[IDAPA 58.01.01.322.01, 3/19/99]

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4. FUEL TYPE

- 4.1 The permittee shall burn only natural gas in any stationary combustion source at the Soda Springs Compressor Station.

[IDAPA 58.01.01.322.03, 3/23/98]

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5. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are required to be listed in the Tier I operating permit to qualify for a permit shield.

Table 3.1: EMISSION UNITS

Emission Unit Description	Insignificant Activities IDAPA Citation Section 317.01(b)(i)
Boiler, 3.3 MMBtu/hr	5
Back-up Generator, 600 hp	5
Warehouse heater, 70,000 Btu/hr	18
Shop heater, 195,000 Btu/hr	18
Fuel gas heater, 500,000 Btu/hr	18
Natural Gas Pipeline and Fuel System	30

- 5.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

[IDAPA 58.01.01.322.06, 5/1/94]

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6. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1) and (2); 40 CFR 70.6(a)(6)(iii)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 5/1/94; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

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8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.

[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/5/00; IDAPA 58.01.01.322.15.i and 380-386, 3/19/99; 40 CFR 70.4(b)(12), (14) and (15); 40 CFR 70.7(d) and (e)]

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. Clean Air Act section 502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 3/19/99; IDAPA 58.01.01.209.05, 5/1/94; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a “state-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

13. Provisions specifically identified as a “state-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

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Inspection and Entry

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of to do the following:
 - 14.1 Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
 - 14.2 Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - 14.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - 14.4 As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.399.

[IDAPA 58.01.01.322.15.n, 5/1/94; 40 CFR 70.6(a)(7)]

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

Renewal

- 18.1 The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

- 18.2 If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and

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conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
 - Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
- 19.2 The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
- 19.3 Nothing in this permit shall alter or affect the following:
 - 19.3.1 Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - 19.3.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 19.3.3 The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - 19.3.4 The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 322.15.m, and 325, 5/1/94; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, and 385.03, 3/19/99; 40 CFR 70.6(f)]

Compliance Schedule and Progress Reports

- 20.1 For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
- 20.2 For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.
- 20.3 For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

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- 20.4 For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9 and 10, 5/1/94; 40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
- 21.1 Compliance certifications for all emissions units shall be submitted annually for the period of January 1 to December 31 for each year, or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ;
- 21.2 The compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
- 21.3 The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
- 21.3.1 The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
- 21.3.2 The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
- 21.3.3 The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.3.2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR 64 occurred;
- 21.3.4 Such other facts as DEQ may require to determine the compliance status of the source.
- 21.4 All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 5/1/94; 40 CFR 70.6(c)(5)(iii) as amended; 62 Fed. Reg. 54900 and 54946, 10/22/97; 40 CFR 70.6(c)(5)(iv)]

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False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.125, 3/23/98]

No Tampering

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring for the periods of January 1 to June 30 and July 1 to December 31 of each year. All instances of deviations from this operating permit's requirements must be clearly identified in the report. All required reports must be certified in accordance with IDAPA 58.01.01.123.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Reporting Deviations and Excess Emissions

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.
[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

Emergency

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008., constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.
[IDAPA 58.01.01.332.01, 3/19/99; 40 CFR 70.6(g)]